

REMARKS/ARGUMENTS

Claims 1-16 are pending in the above-referenced patent application. In the above Office Action the Examiner has rejected claims 1-16 in the manner discussed below. By this Amendment claims 5 and 6 have been amended in order to more clearly define the present invention.

Objection to the Drawings

In the above Office Action the Examiner has objected to the drawings as including reference numerals not mentioned in the specification. By this Amendment Applicant has amended the specification to identify the reference numerals "140" and "180", which were indicated by the Examiner not to be present therein.

Rejection of Claims 5 and 6 under 35 USC §112

In the first rejection made within the above Office Action, the Examiner rejected claims 5 and 6 under 35 U.S.C. §112, second paragraph, as being indefinite. In response, Applicant has amended claims 5 and 6 in order to correct the lack of antecedent basis identified by the Examiner.

Rejection of Claims 1-16 under 35 USC §102(e)

Claims 1-16 stand rejected under 35 USC §102(e) as being anticipated by Aiello (US 2002/0018458) (hereinafter referred to as the "Reference"). The effective date of the reference is September 10, 1999, which is less than a year before the March 13, 2000 filing date of the present application.

When a reference has an effective date that is within a year of the filing date of an application, the reference can be antedated by showing possession of the subject matter described in the reference prior to its publication. Applicant has provided herewith a Declaration Under 37 CFR 1.131 submitted by Martin Morris, the inventor of the present application. This Declaration

Under 37 CFR 1.131 serves to establish that Applicant was in possession of the subject matter described in the Reference prior to its September 10, 1999 effective date, as evidenced by the completion of an initial draft of the above-referenced patent application by April 19, 1999.

In conclusion, Applicant asserts that in light of the aforementioned Declaration Under 37 CFR 1.131, the Reference is not available as anticipatory art under 35 USC §102(e) and Applicant requests withdrawal of the §102 rejection.

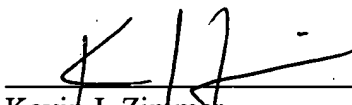
Applicant respectfully requests entry of the amendments described herein prior to further examination of the above-identified application. The undersigned would of course be available to discuss the present application with the Examiner if, in the opinion of the Examiner, such a discussion could lead to resolution of any outstanding issues.

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Cooley Godward LLP
ATTN: Patent Group
Five Palo Alto Square
3000 El Camino Real
Palo Alto, CA 94306-2155
Tel: (650) 843-5000
Fax: (650) 857-0663

Respectfully submitted,
COOLEY GODWARD LLP

By:



Kevin J. Zimmer
Reg. No. 36,977